

JOELI A. McCAMBRIDGE,
Plaintiff,

v.

SHIRLEY BISHOP and
ROMIE DAVID BISHOP,
Defendants.

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CA. No.: 09C-02-030 FSS
E-FILED

1. On September 23, 2009, a commissioner issued an Opinion and Order granting Defendant, Romie D. Bishop's, motion to dismiss, in part, and denying the motion, in part.
2. On September 29, 2009, Defendant filed a timely appeal under Superior Court Civil Rule 132(a)(4).
3. Appellant did not cause a transcript of the proceedings before the commissioner to be prepared, served, and filed, as called for by Rule 132(a)(4)(iii).

4. The court, under Rule 132(b), could dismiss the appeal for Appellant's failure to obtain a transcript. Rather than enter a blanket dismissal, however, the court will simply ignore any allegation concerning anything said during any hearing for which no transcript has been prepared.

5. The appeal is largely unintelligible and stream-of-consciousness. Otherwise, its allegations are conclusory. Moreover, Appellant continues to strike a belligerent and bullying tone. For example, Appellant insists that this judge should refer the commissioner for disciplinary proceedings and report himself for the same. Appellant continues to see any disagreement with him as a personal affront, or worse.

6. The September 23, 2009 Opinion and Order granted Appellant's motion to dismiss the harassment claim, but denied the motion as it related to the rest of the Amended Complaint. The Opinion and Order also granted Defendant, Shirley Bishop's, Motion to Amend, so as to allow her to assert a counterclaim. Similarly, the Opinion and Order granted Appellant's Motion to Amend, so as to allow him to assert counterclaims.

7. In her two paragraph response to Defendant's appeal, McCambridge, as counterclaim defendant, contends that the commissioner should not have allowed Appellant to file his counterclaim.

8. After *de novo* determination of the Opinion and Order, and ignoring requests for relief that are outside of the scope of review here, it appears

that the Opinion and Order is legally correct and it reflects no abuse of discretion.

For the foregoing reasons, the findings and recommendations made by the commissioner in the September 23, 2009, Opinion and Order are **ACCEPTED.**

IT IS SO ORDERED.

Date: October 6, 2009

/s/ Fred S. Silverman

Judge

oc: Prothonotary (Civil)

pc: Joeli McCambridge, *pro se* (via US Mail)

Shirley Bishop, *pro se* (via US Mail)

Romie Bishop, *pro se* (via US Mail)

Louis J. Rizzo, Esquire (via Lexis E-file)